

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING
2014 APR 21 AM 11 40
STEPHAN HARRIS, CLERK
CASPER

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

NORMAN M. SCHMITZ and STEVEN R.
DIEHL, Individually, On Behalf of All
Others Similarly Situated, and Derivatively
On Behalf of Nominal Defendant
DUOYUAN PRINTING, INC.,

Plaintiffs,

vs.

Case No. 11-CV-157-SWS

XIQING DIAO, WENHUA GUO,
BAIYUN SUN, CHRISTOPHER
PATRICK HOLBERT, WILLIAM D.
SUH, JAMES ZHANG, LIANJUN CAI,
PUNAN XIE, SIK SIU KWAN, and CHUI
MAN LUNG EVERETT,

Defendants,

and

DUOYUAN PRINTING, INC.,

Nominal Defendant.

JUDGMENT

This matter came before the Court on the parties' Joint Status Report (ECF No. 119).
Having considered the parties' joint assertions and reviewed the record herein, the Court enters
final disposition of this action as follows:

Defendant James Zhang was voluntarily dismissed by Plaintiffs on June 10, 2013. (ECF No. 57.)

Defendant Sik Siu Kwan was voluntarily dismissed by Plaintiffs on September 27, 2013. (ECF No. 93.)

Defendants Xiqing Diao, Wenhua Guo, Christopher Patrick Holbert, William D. Suh, Lianjun Cai, and Punan Xie moved to dismiss the complaint against them. (ECF Nos. 77, 79, 81.) On November 7, 2013, the Court dismissed the complaint against these Defendants for lack of personal jurisdiction. (ECF No. 111.)

Plaintiffs moved to dismiss the complaint against Defendant Baiyun Sun, and the Court granted that motion on April 15, 2014. (ECF No. 118.)

All parties requested that Defendant Chui Man Lung Everett, who has not been served or appeared in this action, be dismissed. (ECF No. 119.) The Court hereby orders the complaint against him dismissed.


Nominal Defendant Duoyuan Printing, Inc. is solely a nominal defendant and not named in any count, and is hereby dismissed. *See* Wright, Miller & Kane, Federal Practice and Procedure: Civil 3d § 1821 (2007) (citing *Miller v. Am. Tel. & Tel. Co.*, 394 F. Supp. 58 (E.D. Pa. 1975)).

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that judgment is hereby entered in favor of all Defendants.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that for the reasons stated above and in the Court's Order dated November 7, 2013 (ECF No. 111), this case is hereby **DISMISSED** as against all Defendants.

IT IS FINALLY ORDERED that each party shall bear its own costs, expenses, and attorneys' fees.

DATED this 21st day of April, 2014.



Scott W. Skavdahl
United States District Judge